

**RECEIVED**  
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CLERK OF DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF IOWA  
CENTRAL DIVISION

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	Criminal No. 4:12-cr-025
	)	
vs.	)	<u>INDICTMENT</u>
	)	
PAUL W. AUSTIN and	)	T. 16 U.S.C. § 742j-1(a)(2)
CRAIG T. MARTIN	)	T. 16 U.S.C. § 742j-1(a)(3)
	)	T. 16 U.S.C. § 742j-1(e)
Defendants.	)	T. 18 U.S.C. § 2

**THE GRAND JURY CHARGES:**

**COUNT 1**  
(Animal Harassment by Aircraft)

On or about November 16, 2011, in the Southern District of Iowa, the defendants, PAUL W. AUSTIN and CRAIG T. MARTIN did use one or more aircraft to harass birds, fish and other animals, to-wit, a 1974 Magnus Bowers Fly Baby (registration number N86EM) and a 1946 Aeronca 11AC-210 (registration number N85841); and did knowingly participate in using said aircraft for the purpose of harassing birds, fish, and other animals.

This is a violation of Title 16, United States Code, Section 742j-1(a)(2) and 742j-1(a)(3), and Title 18, United States Code, Section 2.

**THE GRAND JURY FURTHER FINDS:**

**NOTICE OF FORFEITURE**

On or about November 16, 2011, in the Southern District of Iowa, Polk County, two aircraft, specifically: One blue/yellow, 1974 Magnus Bowers Fly Baby (registration number N86EM) and one red/white 1946 Aeronca 11AC-210 (registration number N85841), were used

for the purpose of harassing birds, fish and animals, while airborne, in violation of the Airborne Hunting Act alleged in Count 1 and are subject to forfeiture to the United States pursuant to Title 16, United States Code, Section 742j-1(a)(2), 742j-1(a)(3), and 742j-1(e).

**A TRUE BILL.**

/s/ \_\_\_\_\_  
FOREPERSON

Nicholas A. Klinefeldt  
United States Attorney

By:

/s/ Cliff Wendel \_\_\_\_\_  
Cliff Wendel  
Assistant United States Attorney